

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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NU-WORLD CORP.,

Plaintiff,

v.

IVY ENTERPRISES, INC., and KISS  
PRODUCTS, INC.,

Defendants.

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Civil Action No. 10-4347 (WJM)

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KISS PRODUCTS KOREA CO. LTD.,

Plaintiff,

v.

IVY ENTERPRISES, INC., and NU-WORLD  
CORP.,

Defendants.

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Civil Action No. 10-5253 (WJM)

**ORDER**

**THIS MATTER** having been raised by the Court sua sponte with all parties during a conference call on October 27, 2010, and upon the request of all parties, contained in a letter dated November 3, 2010 [CM/ECF Docket No. 10-4347, Entry No. 13];

and the Court having authority to consolidate actions sua sponte that appear to present common questions of law and fact and common parties, see, e.g., Ortho-McNeil Pharm. V. Kali Labs, No. 02-5707, 2007 WL 1814080, at \*6 n.3 (D.N.J. June 20, 2007);

and the decision to consolidate being one that rests in the sound discretion of the Court, see, e.g., In re Consol. Parlodel Litig., 182 F.R.D. 441, 442 (D.N.J. 1998);

and the Court noting that the claims asserted by the plaintiffs in both actions appear to arise from the same series of transactions, compare Nu-World Corp. Compl. (attach. A to Notice of Removal [CM/ECF Docket No. 10-4347, Entry No. 1]), with Kiss Prods. Korea Co. Ltd. Compl.[CM/ECF Docket No. 10-5253, Entry No. 1];

and the Court finding that these actions involve multiple common questions of law and fact and common parties;

and the Court further finding that consolidation will avoid unnecessary cost and delay;

and for other good cause shown;

**IT IS on this 8<sup>th</sup> day of November 2010,**

**ORDERED** that Nu-World Corp. v. Ivy Enterprises, Inc., et al., Civil Action No. 10-4347 (WJM), and Kiss Products Korea Co. Ltd. v. Ivy Enterprises, Inc., et al., Civil Action No. 10-5253 (WJM), are hereby consolidated for all purposes under Civil Action No. 10-4347 (WJM).

/s Mark Falk

**MARK FALK**

**United States Magistrate Judge**